

FILED
5/1/23 8:59 am
CLERK
U.S. BANKRUPTCY
COURT - WDPa

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) **Bankruptcy Case No. 22-20324-GLT**
David A. Golupski and)
Maureen Y. Golupski,) **Chapter 11 (Subchapter V)**
Debtors,)
)
David A. Golupski and) **Related to Document Nos. 228, 249 and 280**
Maureen Y. Golupski,)
Movants,)
v.)
Cozza Enterprises, LLC,)
Respondent.) **Document No.**

STIPULATED ORDER RESOLVING
OBJECTION TO CLAIM AND ALLOWING LATE FILED CLAIM

AND NOW come the Debtors, David and Maureen Golupski, and Creditor, Cozza Enterprises, LLC, jointly and through their respective counsel of record, stipulate and agree as follows:

A. David and Maureen Golupski (the "Golupskis") filed an Objection to the claim filed by Cozza Enterprises, LLC on February 27, 2023 (the "Objection to Claim"). Doc. No. 228.

B. Cozza Enterprises, LLC filed its Response to the Objection to Claim on March 29, 2023. Doc. No. 248.

C. In addition to the Response to the Objection to Claim, Cozza Enterprises, LLC filed a Motion to Allow Late Proof of Claim. Doc. No. 249.

D. The Golupskis' filed a Response to the Motion to Allow Late Proof of Claim. Doc. No. 277.

E. The factual background for the Objection to Claim and Motion to Allow Late Proof of Claim is the same and relates to whether Cozza Enterprises LLC's claim should be allowed notwithstanding the fact that the claim was filed after the claims bar date.

F. The Golupskis and Cozza Enterprises, LLC have determined that is in their mutual best interest to amicably resolve the issues raised in the Objection to Claim and the Motion to Allow Late Proof of Claim on the terms and conditions set forth herein.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The averments set forth above are incorporated herein by reference.
2. The Motion to Allow Late Proof of Claim is **GRANTED** as modified by this Stipulated Order.
3. It is agreed by the Parties that Cozza Enterprises, LLC has an allowed, prepetition general unsecured claim in the amount of **\$57,512.50**.
4. Cozza Enterprises, LLC is entitled to receive its share of the pro rata payment made to general unsecured creditors.
5. The Objection to Claim is **DENIED** and **OVERRULED** to be consistent with this Stipulated Order.

STIPULATED BY:

BY: /s/ Andrew Kevin Pratt
Andrew Kevin Pratt
PA Bar No. 328784
apratt@c-vlaw.com
CALAIARO VALENCIK
938 Penn Avenue, Suite 501
Pittsburgh, PA 15222
(412) 232-0930

*Counsel for Debtors
David and Maureen Golupski*

BY: /s/ Keri P. Ebeck
Keri P. Ebeck
PA Bar No. 91928
kebeck@bernsteinlaw.com
Bernstein-Burkley P.C.
601 Grant Street, 9th Floor
Pittsburgh, PA 15219
(412) 456-8120

Counsel for Cozza Enterprises, LLC

IT IS SO ORDERED this 1st day of May, 2023.



Chief Judge Gregory L. Taddonio
United States Bankruptcy Court

In re:
David A. Golupski
Maureen Y. Golupski
Debtors

Case No. 22-20324-GLT
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: May 01, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
--------	------------

+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
---	--

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 03, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ David A. Golupski, Maureen Y. Golupski, 5101 Carnoustie Drive, Presto, PA 15142-1507

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 03, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 1, 2023 at the address(es) listed below:

Name	Email Address
Andrew Kevin Pratt	on behalf of Joint Debtor Maureen Y. Golupski apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;akpratt.ecf@outlook.com
Andrew Kevin Pratt	on behalf of Debtor David A. Golupski apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;akpratt.ecf@outlook.com
Beverly Weiss Manne	on behalf of Creditor Advance Business Capital LLC dba Triumph Business Capital bmanne@tuckerlaw.com, bewmanne@aol.com,jrusnack@tuckerlaw.com
Brian Nicholas	on behalf of Creditor PNC Bank National Association bnicholas@kmlawgroup.com
Courtney Helbling	on behalf of Creditor Advance Business Capital LLC dba Triumph Business Capital chelbling@tuckerlaw.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: May 01, 2023

Form ID: pdf900

Total Noticed: 1

Donald R. Calaiaro

on behalf of Joint Debtor Maureen Y. Golupski dcalaiaro@c-vlaw.com
kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.c
om;eballa@c-vlaw.com

Donald R. Calaiaro

on behalf of Plaintiff David A. Golupski dcalaiaro@c-vlaw.com
kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.c
om;eballa@c-vlaw.com

Donald R. Calaiaro

on behalf of Plaintiff Maureen Y. Golupski dcalaiaro@c-vlaw.com
kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.c
om;eballa@c-vlaw.com

Donald R. Calaiaro

on behalf of Debtor David A. Golupski dcalaiaro@c-vlaw.com
kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.c
om;eballa@c-vlaw.com

Gary M. Sanderson

on behalf of Creditor McGann & Chester LLC gms@muslaw.com muslawpitt@yahoo.com;aas@muslaw.com

James S. Fellin

jfellin@nottinghamgroup.com

James S. Fellin

on behalf of Trustee James S. Fellin jfellin@nottinghamgroup.com

Jeffrey Hunt

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Jeffrey R. Hunt

on behalf of Creditor County of Allegheny jhunt@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor Chartiers Valley School District jhunt@grblaw.com

Jill Locnikar

on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

Jodi Hause

on behalf of U.S. Trustee Office of the United States Trustee jodi.hause@usdoj.gov
David.A.Berry@usdoj.GOV;Steven.W.Albright@usdoj.GOV

John J. Winter

on behalf of Creditor Newtek Small Business Finance LLC jwinter@chartwellllaw.com

John J. Winter

on behalf of Defendant Newtek Small Business Finance LLC jwinter@chartwellllaw.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Keri P. Ebeck

on behalf of Creditor Cozza Enterprises LLC kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronald B. Roteman

on behalf of Interested Party Thomas J. Lewis rroteman@stonecipherlaw.com jdearment@stonecipherlaw.com

Ronald B. Roteman

on behalf of Interested Party Georgette A. Lewis rroteman@stonecipherlaw.com jdearment@stonecipherlaw.com

Ryan J Cooney

on behalf of Interested Party James Higgins rcooney@cooneylawyers.com

Ryan J Cooney

on behalf of Interested Party SWFL Real Estate Experts rcooney@cooneylawyers.com

TOTAL: 26